



Atty. Dkt. No. 093286-0103

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yves Auberson *et al.*
Title: MACROCYCLIC LACTAMS
AND PHARMACEUTICAL USE
THEREOF
Appl. No.: 10/577,260
Filing Date: 6/2/2006
Examiner: Noble E. Jarrell
Art Unit: 1624
Confirmation Number: 2480

**RESPONSE TO RESTRICTION AND
ELECTION OF SPECIES REQUIREMENTS**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed February 27, 2008, Applicants hereby provisionally elect Group IV, claims 1-9, insofar as these claims are drawn to compounds, compositions, and methods of using compounds of Formula I wherein U is a bond, V cannot be a cyclopropyl ring, W is an alkyl group, X is an alkyl group, Y is C-N or N-C, and Z is a bond.

This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants reserve the right to file a divisional application covering the subject matter of the non-elected Groups.

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Applicants also provisionally elect the single disclosed species of Example 2, (3S,14R,16S)-16-[(1R)-1-hydroxy-2-(3-isopropyl-benzylamino)-ethyl]-3,4,14-trimethyl-1,4-diaza-cyclohexadecane-2,5-dione. Claims 1-9 read on this species.

This election is made with traverse.

Applicants believe that the present application is now in condition for allowance. Favorable consideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 8/25/08

By P.D.S.

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